

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|              |                         |             |                   |
|--------------|-------------------------|-------------|-------------------|
| Applicant :  | Mark A. Clarner         | Art Unit :  | 3677              |
| Serial No. : | 10/688,031              | Examiner :  | Ruth C. Rodriguez |
| Filed :      | October 15, 2003        | Conf. No. : | 2175              |
| Title :      | TOUCH FASTENER ELEMENTS |             |                   |

**MAIL STOP AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

DECLARATION OF GEORGE PROVOST UNDER 37 C.F.R. § 1.132

I, George Provost, of 406 Brown Avenue, Manchester, NH 03108, declare as follows:

1. I received a Bachelor of Arts degree with a major in mathematics and a minor in physics and philosophy in 1965. I also had two years of post-graduate work in physics during which I held a teaching assistantship from 1965 to 1967. I have been employed by the Velcro companies since March 1967 in their research and development department. Since 1985, I have been Director of Product Research. Prior to that I held the position of Director of Product Application and Development from the late 1970s to 1985. I have over thirty years of experience in design and manufacture of various types of hook and loop fasteners including the formation of molded resin fasteners.

2. I have reviewed U.S. Patent 7,048,984 to Seth et al. ("Seth"). Seth discloses an extrusion formed reticulated netting having reticulated hook fasteners. The netting includes two sets of strands at angles to each other. The netting is formed by a cut and stretch method entailing extruding a base layer having spaced ridges (e.g., hooks or ridges with hook cross-sectional shapes) which are cut at spaced locations. The base layer is then stretched in the direction of the ridges to space apart the cut portions to provide hooks. I conclude Seth does not provide any teachings that would lead of person of skill in the art to the claimed invention for at least the following reasons.

3. The closure performance of a hook and loop fastener cannot usually be modified by simple hook geometry changes. Interactions exist between hooks and loops that must be

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understood in order to effectively design a hook improvement. I would not make the assumption that increasing the effective area of the hook (i.e. the area that will engage loops of the loop component) will yield a stronger fastener component, because from my experience increasing the size of a hook doesn't necessarily improve the load-bearing capability of a hook and loop fastener. In fact, under many conditions, making a hook bigger can result in a decrease in performance, depending on various interactions between hook and loop characteristics. Therefore, I would not consider it obvious to try the proposed modification of the hooks disclosed in Seth.

4. I declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true and, further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of this application or any patents issuing therefrom.

Signed at, Manchester New Hampshire on May 14, 2009  
City Date

George Provost  
George Provost